IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 490 of 2004 (S/S)

Dharmanand Bhatt
S/o late Shri Pandeo Bhatt
R/o Village Garaun, Post Birkham,
District Almora.

…… Petitioner

Versus

1. State of Uttaranchal
   through Secretary Education
   Uttaranchal Shashan, Dehradun.
2. State of U.P.
   through Secretary Education, Lucknow.
3. Director of Education
   2, Subhash Marg, Dehradun.
4. District Inspector of Schools
   District Almora.
5. Joint Director of Education, Nainital.

…… Respondents

Mr. Jagdish Bisht, Advocate holding brief of Mr. Sharad Sharma, Advocate for the petitioner.
Mr. H.M. Raturi, Standing Counsel for the respondent State.

Hon. Prafulla C. Pant, J.

Heard learned counsel for the petitioner and learned Standing Counsel for the State.

2) By means of this writ petition, the petitioner has sought following reliefs:

> "I) Issue a writ, order or direction in the nature of mandamus commanding the respondents to

regularize the services of the petitioner on the post of Lecturer Geography.

II) Issue a writ, order or direction in the nature of mandamus commanding the respondents to grant the benefit of selection grade in the scale of Rs. 7,500/- to Rs. 11,500/-, as admissible to a lecturer.

III) Issue a writ, order or direction in the nature of mandamus commanding the respondents to grant the post retirement benefits to the petitioner after rescheduling the same.

IV) Issue a writ, order or direction which this Hon'ble Court may deem fit and proper under the circumstances of the case.

V) Award the cost of the petition."

3) Brief facts of the case, as narrated in the writ petition, are that the petitioner was appointed as Assistant Teacher in the year 1970 in Survodaya Inter College, Jainti, District Almora. He was promoted as Lecturer in Geography in the year 1990-91. He got superannuated from the service on 30.06.2003.

4) Learned counsel for the petitioner states that he does not want to press relief No. I. He further admits that as far as relief relating to selection grade is concerned, the same has been given to him w.e.f. 01.01.2001, during the pendency of writ petition. The only relief now to be considered is the post retrial benefits to the petitioner on the basis of the selection grade already granted to him.

5) In the above circumstances, this writ petition is disposed of with the direction that if the petitioner makes a representation through proper channel, after completing the formalities, as per rules, the revision of his pension, admissible to him, shall be considered by the authorities concerned. No order as to costs.

(Prafulla C. Pant, J.)

Dt. September 18, 2007.
H.Negi